

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

ROBERT D. STURGILL,
Plaintiff,

Case Number: 1:16-cv-731
Black, J.
Litkovitz, M.J.

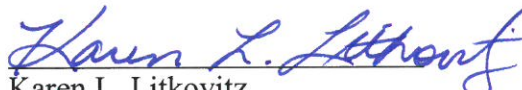
vs.

NANCY A. BERRYHILL,
ACTING COMMISSIONER OF
SOCIAL SECURITY,
Defendant.

**REPORT AND
RECOMMENDATION**

This matter is before the Court on the Commissioner's motion to dismiss this case with prejudice. (Doc. 18). This Court issued an Order on June 13, 2017, remanding this matter for further administrative proceedings pursuant to Sentence Six of 42 U.S.C. § 405(g). (Doc. 17). The case was administratively closed on the Court's docket, but the Court retained jurisdiction over the case. On remand, the Social Security Administration found in plaintiff's favor and notified him in February 2018 that he had been awarded monthly disability benefits. (Doc. 18-1). The Commissioner moves the Court to dismiss the case with prejudice in light of the favorable decision on remand. Plaintiff does not oppose the motion to dismiss.

IT IS THEREFORE RECOMMENDED THAT the Commissioner's motion to dismiss this case with prejudice (Doc. 18) be **GRANTED** and that the case be **CLOSED** on the docket of the Court.


Karen L. Litkovitz
United States Magistrate Judge

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NOTICE TO THE PARTIES REGARDING THE FILING OF OBJECTIONS TO R&R

Pursuant to Fed. R. Civ. P. 72(b), **WITHIN 14 DAYS** after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations. This period may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendation is based in whole or in part upon matters occurring on the record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon, or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections **WITHIN 14 DAYS** after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).